



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS PROCEEDINGS

Courthouse, Clay Center, Nebraska, April 12, 2011 at 9:00 A.M.

The Clay County Board of Supervisors met April 12, 2011 as per public notice given in the Clay County News on April 6, 2011 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting and on the county website. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Anderson, Johnson, Shaw, Schmidt and Fintel. Minutes of the meeting held March 29, 2011 were sent to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

It was brought to the board's attention that there was an omission in the minutes of the meeting held on March 29, 2011. Motion by Shaw and seconded by Nuss to amend the minutes of March 29, 2011 to show that the County Attorney told the board that he would discuss the communications from the Attorney General at the next meeting. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Tina Nelson was not able to be present for Public Input. The chairman asked if there was any public input, there being none he asked the Highway Supt. to proceed with his report.

Thomas Roemmich II, Highway Superintendent reported that they were working on driveways and culverts and bridge work. They should have another week of culverts and then start grading on the Edgar road. Dalhsten's have been contacted to see if they would be interested in selling part or all of a lot. Tom asked what the board was going to do with the lots in Fairfield. They will talk to the county attorney about it. It's on the agenda next week to discuss advertising to close part of a township road in Eldorado. The asphalt work may start in a week or two. Tom reported on what the county charges for equipment rates and also on rates charged by a local contractor. Because the county's rates have not been reviewed for a number of years, the board asked Tom to present a new rate sheet for discussion/approval at the next meeting. There was discussion on grading of township roads (out of the ordinary) and cleaning ditches. For budgetary purposes, Tom will keep track of the extra work done on township roads. Tom brought up the request to have bridges for a pivot made for the county farm. He checked with Geneva Welding who could build the bridges at a cost of \$42.00 a foot. Each bridge would be approximately 100 feet and 5 or 6 bridges would be needed. Consensus of the board was to not provide bridges for the pivot on the county farm. A concern with the gear heads on the well of the county farm was discussed and it was decided to have Shucks look at them. The chairman asked if any of the board members had anything concerning road matters to discuss with Tom. A concern about cleaning ditches of township roads was discussed. Consensus was that if there was not a problem affecting the road or a problem with culverts, no extra work on ditches would be done solely because a landowner requested it. The question of



Clay County Board Minutes



whether there was a need to contract for tree removal was discussed. This will be put on the next agenda for further discussion.

A representative from Viareo wireless explained the company's coverage area and some of the plans offered. The county only has a couple of cell phones and is not interested in switching providers at this time.

The board discussed zoning for smaller acreages. The concern is about acreages less than the 5 acres allowed by the zoning regulations; those that want to live in a rural area but don't want to buy and maintain 5 acres and those that would like to sell a farmstead but not necessarily 5 acres. The chairman spoke with the Zoning Administrator via telephone. There is a process in place for people to request consideration for an exception and also to appeal a decision. Consensus at this time is to not make any changes to the zoning regulations but instead make people aware of the process.

Some of the misc. items were taken care of at this time.

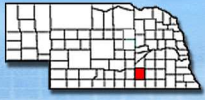
The fee reports were circulated for review. Motion by Anderson and seconded by Johnson to accept the fee reports for the following county officials for the month of March 2011: County Clerk, \$6,754.15, Clerk of District Court, \$18,916.76, and County Treasurer receipts #11030001 thru #11030068 in the amount of \$604,375.31; and for the County Sheriff's fee report for the month of February \$4,878.00. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Travis Songster, Custodian was asked to report on the steam cleaner. Travis reported that he had been told about a cleaning kit to use with a shop vac that would suit his needs and be more cost effective than a steam cleaner. The board had previously asked Travis to find someone to come and check out the air quality in the Assessors office. The C-Tech representative came to evaluate the situation today. The board asked the representative to come in and report on what he had found. There has been some water damage in the past that has caused some problems. He suggested some things that could be done. The board told him that they would place this on the next agenda for further discussion of possible solutions.

Supervisor Nuss told the board he thought it would be a good idea to set up a time, perhaps once a year, to allow employees to come and talk to the board without dept. heads being present. This will be put on the next agenda for further discussion.

There was no new discussion on preliminary budget projections. A meeting has been scheduled with the state auditor's office in May.

Ted Griess, County Attorney discussed his proposed response to the Attorney General regarding allegations set out in a complaint about violations of the open meetings act. Ted was also asked about the procedure for selling the property in Fairfield that the county owns. This will be put on next week's agenda to start the process of advertising for a hearing to set fair market value. Ted had looked over the contract from HSPET Consultants, Loren Uden but wondered if it contained all the things the board was expecting to be done by the temporary EM. This will be discussed again next week.



Clay County Board Minutes



Motion by Anderson and seconded by Johnson to go into closed session at 11:26 AM for the purpose of discussing a pending lawsuit with attorneys. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

The chairman announced in the hall that the board was going into closed session. The chairman stated that subject matter to be discussed will be limited to discussion with attorneys on pending lawsuit.

Motion by Shaw and seconded by Anderson to go out of closed session and resume regular session at 12:34 PM. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

A proposal from the emergency management committee that was received from the Adams County Emergency Manager was distributed to the board members. Another meeting with Adams and Nuckolls counties will be held in May.

Motion by Anderson and seconded by Samuelson to adjourn this meeting at 12:36 P.M.; next meeting scheduled for April 19, 2011. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman